11:35 a.m. December 12, 1963

MEMORANDUM FOR MR. TOLSON
MR. BELMONT
MR. MOHR
MR. CONRAD
MR. DE LOACH
MR. EVANS
MR. ROSEN
MR. SULLIVAN

WARREN COMMISSION

D.C.

Mr. Lee Rankin called from New York to check in with me on the matter of the Commission. He wanted to work out an arrangement with me which he thought might be satisfactory. He said he understood Mr. Belmont handled the investigation.

I told Mr. Rankin that Mr. Belmont, Mr. Rosen and I handled the preparation of the report and will handle additional leads as they come in.

Mr. Rankin asked how he should handle anything that comes up, things the Commission will want developed further, in regard to the FBI - whether they should be handled directly with me or somebody I would designate.

I replied that I will designate someone. I explained that I sent Mr. Malley down to Dallas to handle all of our angles down there; that he was on the ground there; and that I think he probably would be the man who would be more familiar with things Mr. Rankin should further explore. I stated Mr. Malley is in Dallas at the present time but will be ordered back tomorrow; that he will be available; and that we will be glad to run out any additional matters he may want.

I advised Mr. Rankin of the difficulty I have had about the Department's desire to issue certain conclusions; that they wanted to issue a statement before the report went to the Commission reaching conclusions Oswald was the assassin, no foreign or subversive element involved, and Ruby acted alone and Oswald had no connection; that I flatly disagreed; they took

REC 25 62-109090-14

5 DEC 17 1963

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

JEH:rm (12)

MAIL ROOM TELETYPE UNIT

DEC 19 1963

XEROX

DEC 18 1963

UNRECORDED COPY FILED IN 62-109090-67, 105-82555

it up with the White House and the President agreed with me that we should reach no conclusion; nevertheless the report does reach two conclusions in substance.

I said I personally believe Oswald was the assassin; that the second aspect as to whether he was the only man gives me great concern; that we have several letters, not in the report because we were not able to prove it, written to him from Cuba referring to the job he was going to do, his good marksmanship, and stating when it was all over he would be brought back to Cuba and presented to the chief; that we do not know if the chief was Castro and cannot make an investigation because we have no intelligence operation in Cuba; that I did not put this in the report because we did not have proof of it and didn't want to put speculation in the report; that this was the reason I urged strongly that we not reach conclusion Oswald was the only man.

As to Rubenstein, I said I did not want a statement about Rubenstein and Oswald; that we have no proof they were ever together. I stated Rubenstein is a shady character from the hoodlum element of Chicago, has a poor background, runs a nightclub in Dallas, and is what would be called a police buff; that the police officers in that precinct have been able to get food and liquor from him at any time they drop in; that while I think there was no connection between him and Oswald, I did not want the report to be 100% sure on that.

Fourth, I stated I did not believe any conclusions concerning Rubenstein should be reached at this time because he has not been tried; that was why I suggested to the Attorney General of Texas - and understood the Chief Justice did too - that his court of special inquiry be held in abeyance until after the Commission makes its findings. I said I thought they would go ahead with the Rubenstein trial in February; that was why I felt our report should name merely the facts we have established.

I further stated there may be some aspects Mr. Rankin will want to have run out further; that there may be letters written to members of the Commission; that we have letters from people who claim to have seen Oswald; that up to the time we submitted the report we had cleared up all these angles except the Cuban thing which I discussed generally and explained that the informer recanted and blew that angle out of the window; that sort of thing may be popping up all the time. I advised Mr. Rankin if he wanted any leads followed out or any implementation of what we have already done we will give him 100% cooperation.

Mr. Rankin stated he knew we would; that he just wanted to establish liaison; that he does not want to bother me until properly

establishing it as a matter I should know. I told him not to hesitate to call me; that I will designate Mr. Malley and he will advise me at once of anything. Mr. Rankin then said he would get in touch with me if he thinks there is anything which should be taken up on that level.

I mentioned to him the actions of the Soviet Embassy, the Communist Party in New York, and John Abt in making available to us their information on Oswald.

I also discussed the operations of the Dallas Police Department in the case which led to the murder of Oswald.

I told Mr. Rankin the Department held the report about five days and then began to leak items from the Department on it, items such as the shooting of General Walker, things not known in Dallas; that I kept pressing them to get the report to the Commission; that a debate was going on between the Department and me; that I did not want any conclusion drawn but I thought a conclusion had been made in the letter of transmission to the Commission; that there would have been no purpose in appointing a Presidential Commission except to evaluate the facts; that it was the duty of the FBI to get the facts and let the Commission reach a conclusion.

I told Mr. Rankin we would want to do anything we can here to make his job easier. He said he has always had complete confidence in that and in me.

Mr. Rankin inquired if anything had been done about seeing that the films would be preserved and available for the Commission. I answered that we have them ourselves; that we have films taken by private individuals; that the President was not being covered by a car with television people as they do here in Washington; that there was not a professional photographer where this took place; that the Secret Service car immediately in back had already passed the building, which was at an angle, with the result they couldn't tell where the shots were coming from. I mentioned the comment by former Chief of Secret Service Baughman that he could not understand why the Secret Service men did not open fire with machine guns at the window. I said the Secret Service men did not see where the shots came from and would have killed a lot of innocent people if they had done so.

In connection with stories indicating Oswald could not have done this alone, I stated he was a marksman and it wasn't anything he

could not do; that we have tested it on our rifle range and were able to get shots off even faster than he did; that there is no question in my mind about it; that we also found the fingerprints and the bullets so conclusively fired from the gun; that we have all this and we have all the photographs.

Mr. Rankin inquired if we also have the television film run off of the shooting of Oswald, and I told him we have this.

Mr. Rankin said Mr. Malone delivered to him a copy of the report and also offered to help in any way possible; this was very kind of Malone; but he will not deal with Malone in anything unless it is some emergency and he has to handle it locally. I told Mr. Rankin this was all right and if he should need to call upon Malone, Malone would be available.

I also told Mr. Rankin there is a direct wire between the New York Office and here; that he can always place any calls to here over our wire; and that I will arrange for this.

I told Mr. Rankin to let us know if there is anything we can do.

Very truly yours,

J. E. H.

John Edgar Hoover
Director

SENT FROM D. O.
TIME 12:45 PM
DATE 12-13-63
BY Ruf

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐